IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

WP(C).No. 14081 of 2007(B)

PETITIONER:

1. SIVASANKARAN, S/O.SANKARAN NAIR,
KADAIKARA HOUSE, KANDANGALI,
P.O. PAYYANNUR.

2. K. SREEDHARAN, ASSISTANT IN CHARGE,
MUNICIPAL U.P.SCHOOL, PAYYANNUR
(AGED 51, S/O.P.K.NARAYANAN NAMBIAR,
KAKKOPRATH HOUSE, NEAR CHAKKARAPANI TEMPLE,
THRIKKARIPPUR, ELAMBACHI P.O., KASARAGOD.)

BY ADV. SRI.K.S.MADHUSOODANAN
SRI.T.V.JAYAKUMAR NAMBOODIRI

RESPONDENTS:

1. STATE OF KERALA, REP. SECRETARY,
GENERAL EDUCATION (N) DEPARTMENT,
THIRUVANANTHAPURAM.

2. ASSISTANT EDUCATIONAL OFFICER,
PAYYANNUR.

3. SECRETARY, PAYYANNUR MUNICIPALITY,
PAYYANNUR (MANAGER, MUNICIPAL U.P. SCHOOL,
PAYYANNUR).

4. SREEDHARAN, MULLOLI, UPSA,
MUNICIPAL U.P.SCHOOL, PAYYANNUR.

5. VALSARAJAN NAIR, L.P.S.A., DO.

BY ADV. SRI.V.V.NANDAGOPAL NAMBIAR
SMT.PREEJA. P.VIJAYAN
SRI.M.SASINDRAN
GOVERNMENT PLEADER: SRI.T.T.MUHAMOOD
SRI.P.RAMAKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHBITS

Ext.P1: Photocopy of the order G.O (Rt) No. 3309/2003/G.Edn dated 18-8-2003 of the

Ext.P2: Photocopy of the Judgment in W.P(C) No. 8508/06 dated 16-10-2006

Ext.P3: Photocopy of the Judgment in W.P.(C) No. 36893/03 dated 13-10-2006

Ext.P4: Photocopy of the Order G.O (Rt) No.1631/2007/G.Edn dated 12-4-2007.

RESPONDENTS'S EXHIBITS

Ext.R4(a): The true copy of the communication regarding handing over charge addressed to the 3rd respondent

Ext.R4(b): True copy of the complaint dated 12.11.2003 addressed to the DEO Kannur

//True copy/

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A.K.BASHEER, J.

W.P.(C)No.14081 OF 2007

Dated this the 9th day of August, 2007

JUDGMENT

In view of the order passed in R.P.752/07 in W.P.(C)8508/06, I am of the view that this writ petition can be closed.

2. The review petition referred to above was closed recording the undertaking given by the Secretary in the Department concerned that Ext.P4 order in this writ petition would be recalled. Therefore, the Government was directed to pass a comprehensive order in terms of the directions contained in the common judgment in W.P.(C)No.36893/03 and W.P.(C)No.38262/03 and also in W.P.(C)No.8508/06.

Since Ext.P4 which is impugned in this writ petition has been agreed to be recalled, there cannot be any grievance for the petitioners at this stage. However, it shall be ensured by the Government that petitioners in the two writ petitions referred to above (W.P.(C) Nos.36893 & 38262 of 03) are also heard before any decision is taken. While passing orders in the matter, Ext.P5 shall also be kept in view by the Government.

A.K.BASHEER, JUDGE

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